

HOUSEAMENDMENT NO.**Offered by**

\_\_\_\_\_ of \_\_\_\_\_

AMEND Senate Bill No. 966, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following: "To repeal section 288.397 as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to"; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Section 288.397, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, is repealed, and four new sections enacted in lieu thereof, to be known as sections 288.401, 288.501, 288.502, and 1

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 Action Taken \_\_\_\_\_

Date \_\_\_\_\_

to read as follows:"; and

Further amend said bill, Page 1, Section 288.401, Line 14,  
by inserting after all of said line the following:

"288.501. 1. There is hereby created a "Missouri State  
Unemployment Council". The council shall consist of nine  
appointed voting members and two appointed nonvoting members.  
All appointees shall be persons whose training and experience  
qualify them to deal with the difficult problems of unemployment  
compensation, particularly legal, accounting, actuarial,  
economic, and social aspects of unemployment compensation.

(1) Three voting members shall be appointed to the council  
by the governor. One voting member shall be appointed on account  
of his or her vocation, employment, or affiliations being classed  
as representative of employers. One voting member shall be  
appointed on account of his or her vocation, employment, or  
affiliations being classed as representative of employees. One  
voting member shall be appointed to represent the public interest  
separate from employee or employer representation.

(2) Three voting members and one nonvoting member shall be  
appointed to the council by the speaker of the house of  
representatives. One voting member shall be appointed on account  
of his or her vocation, employment, or affiliations being classed  
as representative of employers that employ twenty or less  
employees. One voting member shall be appointed on account of

his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the house of representatives.

(3) Three voting members and one nonvoting member shall be appointed to the council by the president pro tem of the senate. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the senate.

2. The council shall organize itself and select a chairperson or co-chairpersons and other officers from the nine voting members. Six voting members shall constitute a quorum and the council shall act only upon the affirmative vote of at least five of the voting members. The council shall meet no less than four times yearly. Members of the council shall serve without compensation, but are to be reimbursed the amount of actual expenses. Actual expenses shall be paid from the special employment security fund under section 288.310.

3. The division shall provide professional and clerical assistance as needed for regularly scheduled meetings.

4. Each nonvoting member shall serve for a term of four years or until he or she is no longer a member of the general assembly whichever occurs first. A nonvoting member's term shall be a maximum of four years. Each voting member shall serve for a term of three years. For the initial appointment, the governor-appointed employer representative, the speaker of the house-appointed employee representative, and the president pro tem of the senate-appointed public interest representative shall serve an initial term of one year. For the initial appointment, the governor-appointed employee representative, the speaker of the house-appointed public interest representative, and the president pro tem of the senate-appointed employer representative shall serve an initial term of two years. At the end of a voting member's term he or she may be reappointed; however, he or she shall serve no more than two terms excluding the initial term for a maximum of eight years.

5. The council shall advise the division in carrying out the purposes of this chapter. The council shall submit annually by January fifteenth to the governor and the general assembly its recommendations regarding amendments of this chapter, the status of unemployment insurance, the projected maintenance of the solvency of unemployment insurance, and the adequacy of

unemployment compensation.

6. The council shall present to the division every proposal of the council for changes in this chapter and shall seek the division's concurrence with the proposal. The division shall give careful consideration to every proposal submitted by the council for legislative or administrative action and shall review each legislative proposal for possible incorporation into department of labor and industrial relations recommendations.

7. The council shall have access to only the records of the division that are necessary for the administration of this chapter and to the reasonable services of the employees of the division. It may request the director or any of the employees appointed by the director or any employee subject to this chapter, to appear before it and to testify relative to the functioning of this chapter and to other relevant matters. The council may conduct research of its own, make and publish reports, and recommend to the division needed changes in this chapter or in the rules of the division as it considers necessary.

8. The council, unless prohibited by a concurrent resolution of the general assembly, shall be authorized to commission an outside study of the solvency, adequacy, and staffing and operational efficiency of the Missouri unemployment system. The study shall be conducted every five years, the first

being conducted in fiscal year 2005. The study shall be funded subject to appropriation from the special employment security fund under section 288.310.

288.502. If any provision of this act is found by a court of competent jurisdiction to be invalid or unconstitutional it is the stated intent of the legislature that the legislature would have approved the remaining portions of the act, and the remaining portions of the act shall remain in full force and effect.

Section 1. For purposes of section 288.330, RSMo, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, the revisor of statutes shall renumber subdivision (16) of subsection 2 of such section as subdivision (17) of such subsection and renumber subdivision (17) of subsection 2 of such section as subdivision (16) of such subsection.

[288.397. The division shall send on or before September 30, 2004, to all employing units a report containing a summary of changes enacted in this act including but not limited to changes in the tax rate, contribution rate, taxable wage base, temporary solvency charges, benefit or eligibility charges, and other pertinent information to enable the employing units to comply with the changes made.]"; and

Further amend said title, enacting clause and intersectional

references accordingly.